



National Transportation Safety Board
Washington, D.C. 20594

July 16, 2019

Mr. Austin Evers
American Oversight
1030 15th Street NW, Suite B255
Washington, DC 20005

Re: National Transportation Safety Board (NTSB)
Freedom of Information Act (FOIA) No. FOIA-2019-00231

Dear Mr. Evers:

This letter responds to your FOIA request for all email communications (including emails and attachments) sent or received by the Board Members of the Safety Board containing the following key term "747-8". As you requested, we searched our records from March 10, 2019, through the date each Board member completed their search. (Chairman Robert Sumwalt and Vice Chairman Bruce Landsberg completed their search on June 5, 2019, and Member Jennifer Homendy and Member Earl Weener both completed their search on June 12, 2019).

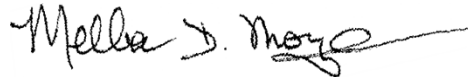
We located a portion of a document, totaling 5 pages and responsive to your request, however, I determined that it is exempt from the FOIA under 5 U.S.C. § 552(b)(5) ("Exemption 5"), which exempts from disclosure "inter-agency or intra-agency memorandums or letters that would not be available by law to a party other than an agency in litigation with the agency, provided that the deliberative process privilege shall not apply to records created 25 years or more before the date on which the records were requested." Exemption 5 exempts from disclosure agency records that are preliminary and deliberative. National Wildlife Fed'n v. Forest Serv., 861 F.2d 1114 (9th Cir. 1988); Jowett, Inc. v. Department of the Navy, 729 F. Supp. 871 (D.D.C. 1989). Overall, Exemption 5 justifies withholding material that reflects the Safety Board's deliberative process from disclosure in order to ensure the free flow of information during the course of our investigations and other projects. Mead Data Cent., Inc. v. Department of the Air Force, 566 F.2d 242, 256 (D.C. Cir. 1977). Pursuant to this exemption, I withheld an internal record.

The NTSB has concluded processing your FOIA request and other than this information, no other records were located responsive to your request. No fees are being charged for processing the request. You may contact Ms. Tamara Crawford, the analyst who processed your request, as well as our FOIA Public Liaison at 202-314-6540 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration (NARA) to inquire about the FOIA mediation services

they offer. The contact information for OGIS is as follows: OGIS, NARA, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may administratively appeal by writing to the NTSB, Attn: Ms. Sharon Bryson, Managing Director, 490 L'Enfant Plaza, SW, Washington, D.C. 20594. Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Melba D. Moye", with a long horizontal flourish extending to the right.

Melba D. Moye
FOIA Officer